

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

THERESA TVRDY,)	
)	
Plaintiff,)	4:08CV3204
)	
v.)	
)	
HABERFELD DIRECT, INC.,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

The parties' planning conference report was due on November 12, 2008. See filing no. 6. It was not filed on that date.

On November 14, 2008, the plaintiff filed a motion to amend her complaint. Filing No. 7. On November 25, 2008, the parties' counsel was contacted by the court regarding the overdue Rule 26(f) report. Defense counsel advised the court that the defendant intended to object to the plaintiff's motion to amend.

At the court's suggestion, and with counsels' approval, the deadline for submitting the report of parties' planning conference was extended from November 12, 2008 to December 19, 2008. The purpose of this extension was to allow the court to decide the pending motion to amend before the parties filed their Rule 26(f) report outlining the claims and defenses at issue.

The defendant did not file an opposition or objection to the plaintiff's motion to amend, and the deadline for doing so has now passed. The plaintiff's motion to amend is therefore deemed submitted and unopposed. This case will be progressed.

IT THEREFORE HEREBY IS ORDERED:

1. Plaintiff's motion to amend, (filing no. 7), is granted.
2. The plaintiff's amended complaint, a copy of which is attached to her motion, shall be filed on or before December 12, 2008.
3. The defendant is given until December 17, 2008 to answer or otherwise respond to the plaintiff's amended complaint.
4. Absent further court order, the parties' planning conference report shall be filed on or before December 19, 2008.

DATED this 11th day of December, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge